

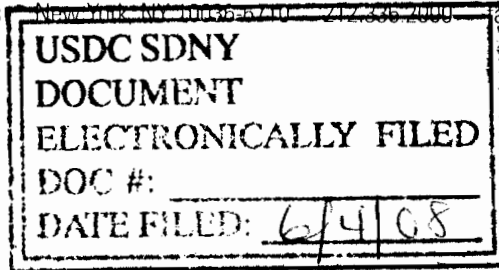
# Patterson Belknap Webb & Tyler LLP

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May 27, 2008

**By Hand**

Hon. Peter K. Leisure  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007



Stephen P. Younger  
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**MEMO ENDORSED**

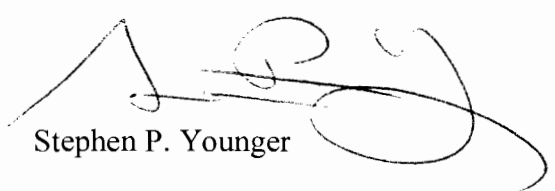
**Re: Spencer Trask Software & Information Services v. RPost  
International Limited et al., No. 02 Civ. 1276 (PKL)**

Dear Judge Leisure:

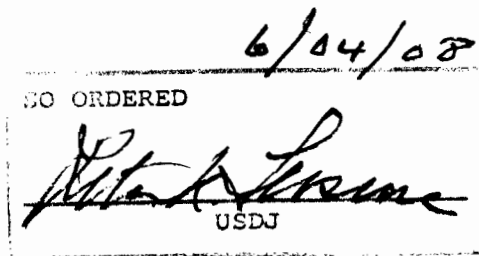
We represent the plaintiffs, Spencer Trask Software & Information Services and Spencer Trask Ventures, Inc., in the above-captioned matter.

The Court's May 22, 2008 Opinion and Order granted plaintiffs' motion to amend their complaint. Plaintiffs would now like to serve interrogatories upon defendants relating to that amendment. Under section D(2) of the Court's April 3, 2008 scheduling order, however, the parties may not serve any additional interrogatories in this case without Your Honor's permission. Plaintiffs hereby request permission to serve the enclosed interrogatories.

Respectfully submitted,

  
Stephen P. Younger

cc: Dennis Hart, Esq.



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Attorneys for Plaintiffs

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
SPENCER TRASK SOFTWARE AND 02 Civ. 1276 (PKL)  
INFORMATION SERVICES LLC, formerly :  
known as SPENCER TRASK INTERNET :  
GROUP, LLC; and SPENCER TRASK :  
VENTURES, INC., :  
:  
Plaintiffs, :  
:  
- against - :  
:  
RPOST INTERNATIONAL LIMITED; ZAFAR :  
KHAN; and TERRY TOMKOW, :  
:  
Defendants.

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**PLAINTIFFS' SECOND SET OF INTERROGATORIES**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, plaintiffs Spencer Trask Software and Information Services, LLC, formerly known as Spencer Trask Internet Group LLC, and Spencer Trask Ventures, Inc. (collectively and with their affiliates "Spencer Trask") direct the following interrogatories to defendants RPost International Limited ("RPost"), Zafar Khan and Terry Tomkow, and requests that, within 30 days after service of these requests, defendants answer each interrogatory separately in writing and under oath.

### **DEFINITIONS**

1. Spencer Trask incorporates the definitions from its First Set of Requests for Production of Documents and Things as if fully set forth herein.
2. "November 1, 2001 Promissory Note" shall mean the document produced in this litigation by Spencer Trask and Bates-stamped as "S000166-168".
3. "Subordinate Convertible Debt Agreement" shall mean the document produced in this litigation by Spencer Trask and Bates-stamped as "S000169-179".
4. "Hanover Trust Promissory Note" shall mean the document produced in this litigation by defendants and Bates-stamped as "2936-2956".
5. "March 19, 2002 Hill & Barlow Letter" shall mean the letter sent by Hill & Barlow to Kevin Kimberlin of Spencer Trask on March 19, 2002.

### **INSTRUCTIONS**

- A. Spencer Trask incorporates the instructions from its First Set of Requests for Production of Documents and Things as if fully set forth herein.

### **INTERROGATORIES**

1. Identify all individuals with knowledge concerning the November 1, 2001 Promissory Note.
2. Identify all individuals with knowledge concerning the Subordinate Convertible Debt Agreement.
3. Identify all individuals with knowledge concerning the Hanover Trust Promissory Note, including but not limited to all: (a) all individuals with knowledge concerning any attempts by defendants to collect any monies owed to defendants under the Hanover Trust

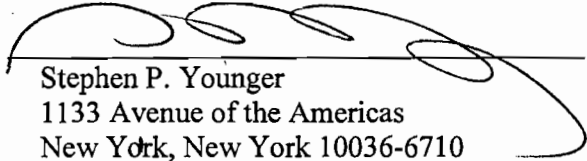
Promissory Note, and (b) all individuals with knowledge concerning the March 19, 2002 Hill & Barlow Letter.

Dated: New York, New York  
May 27, 2008

Respectfully submitted,

PATTERSON, BELKNAP, WEBB & TYLER LLP

By:



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